

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Brett M. Webb

Examiner: Geoffrey R. Akers

Serial No.: 09/825,583

Group Art Unit: 3625

Filed: April 3, 2001

Docket No.: 10003931-1

Title: NETWORK BASED GIFT REMINDER AND PURCHASING SYSTEM  
AND METHOD**DECLARATION OF PRIOR INVENTION UNDER 37 C.F.R. § 1.131**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

This Declaration is submitted to establish prior invention of the subject matter of the present patent application. The person making this Declaration is the inventor, Brett M. Webb.

Accompanying this Declaration are Exhibits A through F to establish conception of the subject matter of the present patent application prior to the effective reference date of December 20, 2000 of Onyshkevych et al U.S. Patent Publication 2002/0138170 coupled with due diligence from prior to the effective reference date to the filing date of April 3, 2001 of the present patent application (i.e., constructive reduction to practice).

Exhibit A (7 pages) includes an HP Invention Disclosure submitted by the inventor, Brett M. Webb, and received by the HP Legal Department on May 11, 2000. This invention disclosure was assigned HP Patent Disclosure No. 10003931-1 and describes the subject matter of the present patent application. For example, the "Descriptive Title of Invention" describes a " Gift idea category for existing web reminder services. Not only a reminder is sent, shopping URL's for items in gift list would also be sent". (Exhibit A, page 1). The "Brief Description" section (Exhibit A, page 3) of the HP Invention Disclosure, the "Advantages of the invention" section of the HP Invention Disclosure (Exhibit A, page 4), the "Problems Solved" section of the HP Invention Disclosure (Exhibit A, pages 4-5), together describe the subject matter of the present application.

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## Declaration under 37 C.F.R. § 1.131

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Accordingly, Exhibit A establishes conception of the subject matter of the present patent application prior to the effective reference date of December 20, 2000 of the Onyshkevych et al U.S. Patent Publication 2002/0138170.

Exhibit B (5 pages) includes a Declaration of patent attorneys Steven E. Dicke and Paul S. Grunzweig of Dicke, Billig, & Czaja (the patent attorneys assigned to prepare the present patent application), which details the activities of Paul S. Grunzweig and Steven E. Dicke directed toward the preparation and filing of the patent application.

Exhibit C (2 pages) includes a facsimile cover page of February 6, 2001 from Paul S. Grunzweig forwarding a draft patent application regarding HP Invention Disclosure 10003931-1 (H302.157.101) to inventor Brett M. Webb.

Exhibit D (1 page) includes a facsimile cover page of February 13, 2001 from Steven E. Dicke forwarding a patent application regarding HP Invention Disclosure 10003931-1 (H302.157.101) to HP Attorney Steven R. Ormiston, as reviewed and approved for filing by the inventor.

Exhibit E (1 page) includes a Letter sent on March 6, 2001 by patent attorney Steven E. Dicke to Ms. Dianna Baker of Hewlett-Packard regarding a patent application regarding HP Invention Disclosure 10003931-1 (H302.157.101) that is suitable for filing by HP. This Letter was accompanied by a hard copy of the patent application, as well as numerous other documents in support of the patent application.

Exhibit F (1 page) is a copy of a front page of the present patent application as filed on April 3, 2001 by Ms. Terri Walker of HP.

Accordingly, Exhibits B-F establish diligence from prior to the effective reference date of December 20, 2000 of Onyshkevych et al U.S. Patent Publication 2002/0138170 to the filing date of the present patent application.

From Exhibits A through F it can be seen that the subject matter of the present patent application was conceived prior to the effective reference date of December 20, 2000 of Onyshkevych et al U.S. Patent Publication 2002/0138170 and was coupled with due diligence from prior to the effective reference date to the filing date of the present patent application (i.e., constructive reduction to practice).

As a person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed

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to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name:

  
Brett M. Webb

Date:

8/17/05

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